

LAW OFFICE OF
BENJAMIN SILVERMAN
224 WEST 30TH ST., SUITE 302
NEW YORK, NY 10001

TEL (212) 203-8074
FAX (646) 843-3938
Benjamin@bsilvermanlaw.com

July 16, 2021

By ECF

Honorable Paul A. Crotty
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

7/19/2021
The proposed schedule for the 2255 is
attached. Signed
Paul Silverman
USP

Re: *United States v. John Doe #2*, 16 Cr. 588 (PAC)

Your Honor:

I was appointed on June 25, 2021, to represent John Doe Number 2 (JD-2) in the above-captioned case. I learned the following week, on June 28, that this representation involves a filing a motion under 28 U.S.C. § 2255. Based on my conversations with JD-2's prior counsel, Clinton Calhoun, I believe that the 2255 motion is focused and meritorious.

Learning about the case has been difficult because much of the docket remains under seal and the entire appellate docket, where the 2255 issue was first raised, is under seal. I was only able to speak with my client for the first time earlier today. I am therefore still getting up to speed.

JD-2's 2255 motion is due on or before July 26, 2021, which is one year following the 91st day after his appeal was denied by summary order dated April 27, 2020.

Under these circumstances, I respectfully request permission to file a 2255 submission – using the standard form setting forth the claims – on or before July 26, and then to supplement it with a memorandum of law in support of the 2255 on or before August 20, 2021, which is approximately three weeks after the 2255 motion is due. That will allow me to (1) submit a 2255 pleading before the deadline imposed by the Anti-Terrorism and Effective Death Penalty Act and also (2) prepare a well-researched, and focused memorandum of law in support of the 2255 motion that will be helpful to the Court.

I have spoken with Assistant United States Attorney Emil Bove and he consents to

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this request. If the Court grants this request, the parties respectfully request that the Court grant the following briefing schedule:

Defendant's Brief:	August 20, 2021
Government Response:	November 1, 2021
Reply (if any):	November 29, 2021

For the foregoing reasons, I respectfully request that the Court endorse this letter to allow the briefing schedule above to address JD-2's 2255 motion. I am available to answer any questions. Thank you for your consideration.

Respectfully submitted,

/s/ Benjamin Silverman
Benjamin Silverman
Attorney for John Doe Number 2

cc: AUSA Emil Bove (by ECF)